



Attorney Docket No.: 10368/24701

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re

U.S. Application of: J. Pat EVANS, John G. PEARCE, and
Duane E. PEOPLES
For: ORTHOTIC FOOTWEAR AND INSOLE THEREOF
U.S. Serial No. 09/945,006
Filed: August 31, 2001
Group Art Unit: 3728
Examiner: To Be Assigned

Assistant Director
for Patents
Washington, D.C. 20231

Dear Sir:

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Assistant Director for Patents, Washington, DC 20231, on

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Date of Deposit

CHARLES S. COTROPIA

Name of Applicant, Assignee, or Registered Representative

Signature

NOVEMBER 1, 2001

Date of Signature

INFORMATION DISCLOSURE STATEMENT

In compliance with the duty of disclosure set forth in 37 C.F.R. § 1.56, Applicants wish to bring the following items to the attention of the Examiner. Copies of the documents are enclosed for the convenience of the Examiner.

No representation is made, and no representation is intended, that more relevant material does not exist, or that the order of presentation of this material in any way reflects its relative pertinence. The references cited below are not intended to constitute an admission of any kind. Specifically, this presentation is not an admission that the items listed below are properly citable against the above-identified application.

Serial No. 09/945,006

- (1) Jones, Des. 254,818, issued April 29, 1980;
- (2) Peterson, Des. 287,302, issued December 23, 1986;
- (3) Peoples et al., Des. 302,764, issued August 15, 1989;
- (4) Wang, Des. 342,374, issued December 21, 1993;
- (5) Brown, Des. 352,158, issued November 8, 1994;
- (6) Roy, Des. 396,138, issued July 21, 1998;
- (7) Moore et al., Des. 396,948, issued August 18, 1998;
- (8) Lubart, Des. 423,202, issued April 25, 2000;
- (9) Brown, U.S. Patent No. 4,439,934, issued April 3, 1984;
- (10) Leighton, U.S. Patent No. 4,541,184, issued September 17, 1985;
- (11) Hostettler, U.S. Patent No. 4,722,946, issued February 2, 1988;
- (12) Hiles, U.S. Patent No. 4,808,469, issued February 28, 1989;
- (13) Peoples, U.S. Patent No. 4,876,805, issued October 31, 1989;
- (14) Sullivan et al., U.S. Patent No. 4,910,886, issued March 27, 1990;
- (15) Sullivan et al., U.S. Patent No. B1 4,910,886 (Reexamination), issued May 9, 1995;

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- (16) Tiao et al., U.S. Patent No. 4,980,386, issued December 25, 1990;
- (17) Philipp, U.S. Patent No. 5,014,706, issued May 14, 1991;
- (18) Tiao et al., U.S. Patent No. 5,093,379, issued March 3, 1992;
- (19) Schroer, Jr. et al., U.S. Patent No. 5,282,326, issued February 1, 1994;
- (20) Rothbart, U.S. Patent No. 5,327,664, issued July 12, 1994;
- (21) Ogden, U.S. Patent No. 5,388,349, issued February 14, 1995;
- (22) Barna, U.S. Patent No. 5,463,824, issued November 7, 1995;
- (23) Kantro, U.S. Patent No. 5,542,196, issued August 6, 1996;
- (24) Ogden, U.S. Patent No. 5,727,336, issued March 17, 1998;
- (25) Brooks, U.S. Patent No. 5,787,610, issued August 4, 1998;
- (26) Peoples et al., U.S. Patent No. 5,865,775, issued February 2, 1999;
- (27) Mardix et al., U.S. Patent No. 5,958,546, issued September 28, 1999;

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- (28) Brooks, U.S. Patent No. 5,964,046, issued October 12, 1999;
- (29) Blackwell et al., U.S. Patent No. 6,026,599, issued February 22, 2000;
- (30) Brown, U.S. Patent No. 6,070,342, issued June 6, 2000;
- (31) Epstein, U.S. Patent No. 6,098,319, issued August 8, 2000;
- (32) WO 92/19191 (A1) (WINPAL PTY. LTD.), published November 12, 1992; and
- (33) WO 98/31248 (A1) (BIO-KINETIC TECHNOLOGIES, INCORPORATED), published July 23, 1998.

Applicants consider the invention to be distinguishable over the above-cited documents.

As this Information Disclosure Statement is being filed within three months of the filing date or before the mailing date of a first Office Action on the merits, whichever occurs last, no fee is required. If it should be determined that a fee is required, please charge any required fee (other than the issue fee) during the pendency of this application to Sidney Austin Brown & Wood's Deposit Account No. 18-1260.

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Respectfully submitted,



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November 1, 2001